

EXHIBIT 59

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, et al.

Plaintiffs,

vs.

BRAD RAFFENSPERGER, et al.

Defendants.

**CIVIL ACTION FILE NO.:
1:17-cv-2989-AT**

DECLARATION OF ELIZABETH THROOP

Elizabeth Throop declares, under penalty of perjury, pursuant to 28 U.S.C. §1746, that the following is true and correct:

1. My name is Elizabeth Throop.
2. I have personal knowledge of all facts stated in this declaration, and if called to testify, I could and would testify competently thereto.
3. I am a registered voter in DeKalb County.
4. As an appointed poll watcher for a political party, I observed various aspects of the March 3, 2020 Senate District 13 runoff election. One of the locations I visited was the Lee County Board of Elections for the Election Night tabulation at approximately 7:30 pm.

5. In the tabulation room, Supervisor Veronica Johnson sat at the Election Night Reporting (ENR) workstation and a young man with a Dominion (DV) name badge sat at the Dominion Election Management System (EMS) computer. I observed two poll workers bring in results from their respective polling places. In each case, Ms. Johnson removed a precinct scanner memory card from a zippered pouch and gave it to the DV rep. He would insert the card into a peripheral memory card reader, then use his computer interface to transfer files from the card reader to the EMS server.
6. He would then insert a thumb drive into the EMS's USB port and transfer files either from the memory card or the hard drive – I couldn't tell which, although it was most likely a transfer from the updated EMS server.
7. He then printed out an Election Summary Report from an HP printer. Afterward, he would give the precinct scanner memory card back to Ms. Johnson, who would return it into its pouch and store it. He then removed the thumb drive from the EMS and gave it to Ms. Johnson, who inserted it into the USB port of a laptop computer. That laptop computer was explained to be a utility elections office computer and the Election Night Reporting (ENR) web-enabled server.
8. Johnson uploaded files from the thumb drive to the state's Clarity Election Night Reporting interface to share over the internet. When she finished, she

handed the thumb drive back to the DV rep to re-insert it into the (supposedly air-gapped) EMS server. That sequence of events may have varied a bit, but I definitely saw Ms. Johnson and the DV representative pass the thumb drive back and forth two times from an internet-connected workstation to the EMS and back again while iterations of the election results were uploaded as the precinct tallies came in.

9. Ms. Johnson told our watcher group that the ENR web-enabled server had been used for that function for some time, meaning that it also interfaced via usb drive with the GEMS server until the Senate District 13 special election where the Dominion system was initially used. Therefore, it stands to reason that malware in the old GEMS system could have been transferred to the ENR web-enabled computer.

10. Now that the new Dominion server is indirectly connected to the ENR computer that was previously used with the GEMS system, it raises questions of whether the Dominion server has been contaminated by either old GEMS server malware or internet malware that could have been transmitted on the ENR server connections.

11. Ms. Johnson told me that the thumb drive was not a regular thumb drive. She showed me it could be locked and unlocked. She said the data on it was encrypted and assured me the procedure was secure. However, I am

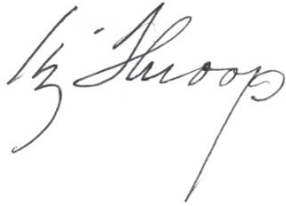
concerned that sophisticated malware could circumvent this protection. Even if the usb is protected from malware, the protection seems to rely on her remembering to lock the device every single time when uploading data. That protection (if effective at all) seems very fragile.

12. On my trip to the March 3, 2020 Senate District 13 election counties, I visited early voting locations along the way. I visited early voting centers in Clayton County, Lamar County, Monroe County, Peach County, Taylor County, and Dooley County. In every location I visited, poll officials had failed to arrange the machines in a method that provided privacy for the voters. The touchscreen ballot contents could be seen by other voters and poll officers to varying degrees. In general, the rooms for voting are simply not large enough to provide enough space to orient each machine in a way that creates privacy for the voter.

13. This failure to achieve ballot secrecy is a problem whether or not the counties were attempting to comply with the Secretary of State's proposed plan for turning machines away from the center of the room.

14. As an authorized Fulton County poll watcher for a political party, on Monday March 9, 2020 I observed voting at SE Atlanta Branch Library, 1463 Pryor Rd., SW Atlanta 30315, Fulton County and East Point Library, 2757 Main St., Atlanta 30344, Fulton County.

Executed on this date, March 10, 2020

A handwritten signature in cursive script, appearing to read "Elizabeth Throop". The signature is written in dark ink on a white background.

Elizabeth Throop